

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NATURAL RESOURCES DEFENSE
COUNCIL, INC.,

Plaintiff,

v.

ENVIRONMENTAL PROTECTION
AGENCY, et al.,

Defendants.

Civil Action No. 16-1861 (JDB)

ORDER

Upon consideration of [10] plaintiff's motion for summary judgment, [15] defendant Environmental Protection Agency's ("EPA") cross-motion for summary judgment, and [17] defendant-intervenor D.C. Water and Sewer Authority's ("D.C. Water") cross-motion for summary judgment, and for the reasons stated in the Memorandum Opinion issued on this date, it is hereby

ORDERED that [10] plaintiff's motion for summary judgment is **GRANTED** and that [15] EPA's and [17] D.C. Water's cross-motions for summary judgment are **DENIED**; it is further

ORDERED that EPA's September 21, 2010 decision to approve the "total maximum daily load" ("TMDL") for trash in the Anacostia River submitted by Maryland and the District of Columbia pursuant to the Clean Water Act, 33 U.S.C. § 1313(d)(1)(C), is **VACATED**; it is further

ORDERED that the vacatur of that decision is **STAYED** until such time as EPA approves a replacement TMDL for trash in the Anacostia River; it is further

ORDERED that the matter is **REMANDED** to the agency for further action consistent with the Memorandum Opinion issued on this date; and it is further

ORDERED that EPA shall submit, by not later than Monday, July 2, 2018 a status report informing the Court of the actions that the agency has taken to comply with this Order.

SO ORDERED.

/s/

JOHN D. BATES
United States District Judge

Dated: March 30, 2018